

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND

In Re: Patricia J. Malbaurn

Case No. 08-13675  
Chapter 13

**CONSENT ORDER**

This matter is before this Court, upon the motions of U.S. Bank National Association as Trustee under SECURITIZATION SERVICING AGREEMENT Dated as of February 1, 2007 Structured Asset Securities Corporation Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC2 (“Lender”) for Relief from the Automatic Stay and Co-Debtor Stay with respect to property located at 171 Dexter Lane, North Scituate, RI 02857 (the “Property”), and pursuant to agreement of Lender and Patricia J. Malbaurn (“Debtor”), it is hereby ordered as follows:

1) Lender states that the post-petition arrearage in the within matter is \$8,531.20, (comprising the December 2008 through March 2009 mortgage payments of \$2,043.83 each, late charges of \$355.88, attorney’s fees for the filing of the Motions for Relief from Stay and Co-Debtor Stay in the amount of \$1,150.00, plus the \$150.00 court filing fee, less suspense funds of \$1,300.00).

2) Debtor does not admit an obligation to pay the amount of arrears as listed in Paragraph 1, nor does Lender concede the validity of its claim. The Parties agree that the post-petition arrears listed in Paragraph 1 will be addressed by the Parties in Adversarial Proceeding Case No. 09-01007.

3) Beginning with the payment due April 1, 2009, Debtor shall continue to make the regular monthly mortgage payments directly to Lender in a timely fashion, pursuant to the terms and condition of the Note and Mortgage.

4) If Lender does not receive the payments as set forth in Paragraphs 3 for a period of six (6) months within ten (10) days of the date such payment is due, then the Bank shall be entitled to file an Affidavit of Noncompliance with this Court on the tenth (10<sup>th</sup>) day following the mailing of a Notice of Default to (1) Debtor and (2) Debtor’s Attorney. Upon the filing of the Affidavit of Noncompliance, Lender’s Motion for Relief from the Automatic Stay shall be automatically granted pursuant to 11U.S.C. Section 362 (d) for cause, without further hearing, for failure to make post petition mortgage payments.

5) This Consent Order shall have the effect of an order of the Bankruptcy Court upon approval by the Bankruptcy Court.

Lender,  
by its Attorney

Debtor  
by her attorney

/s/ Joseph M. Dolben  
Nicholas Barrett & Associates  
Joseph M. Dolben, Esq.  
999 South Broadway  
East Providence, RI 02914  
(401) 654-6162/fax (401) 654-6163

/s/ Christopher Lefebvre  
Christopher Lefebvre, Esq.  
P.O. Box 479  
2 Dexter Street  
Pawtucket, RI 02862  
(401) 728-6060

Dated:3/18/2009 \_

Dated:3/18/2009 \_

Enter:

Order:

\_\_\_\_\_  
Arthur N. Votolato  
United States Bankruptcy Court Judge

\_\_\_\_\_  
Deputy Clerk

Dated:

Entered on docket:

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**CERTIFICATION OF SERVICE**

I hereby certify that on March 18, 2009, I electronically filed a proposed Consent Order with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically:

**Christopher Lefebvre, Esq.**

[clbankrupt@aol.com](mailto:clbankrupt@aol.com)

**John Boyajian, Esq.**

[john@bhlrlaw.com](mailto:john@bhlrlaw.com)

**Sandra Nicholls, Esq.**

[ustpreregion01.pr.ecf@usdoj.gov](mailto:ustpreregion01.pr.ecf@usdoj.gov)

And I hereby certify that I have mailed by United States Postal Service, the document electronically filed with the court to the following non CM/ECF participants:

Patricia J. Malbaurn  
and Donna J. Southard  
171 Dexter Lane  
North Scituate, RI 02857

/s/ Joseph M Dolben, Esq.